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Manager

TUESDAY, OCTOBER 7, 1902.

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THE KAUAI OBJECTION.

The critic who said that the presence of tourists in Honolulu would be of no advantage to plantations on Kauai, should visit Southern California and note what has come to every legitimate business there from the presence of tourists in Los Angeles. The attractions of the citrus belt metropolis bring 75,000 people there annually who pour into the channels of business and there into the banks an average of \$250 per capita for personal expenses, exclusive of what they pay for railway fares. This makes a total of \$18,750,000 added in every good season to the floating capital of Southern California, money which becomes available to those who need it for agriculture, irrigation, mining, manufacturing, trade, commerce and general development in the vast country lying below the Tehachapi Press.

Nor is this all. Among the 75,000 tourists are many wealthy Eastern men and foreigners, who want something better than three and four per cent investments, and who need little pressure to remain as permanent residents in a country which pays a better return than that for the money it requires. These visitors are the mainstay of investment. Is there a great flume to build or a great citrus or raisin proposition to advance? In that case the men having it in hand do not need to send agents to San Francisco, Chicago or New York, to make prolonged negotiations. They don't have to; the capitalist is on the ground, getting interested in what he sees, and ready to be approached with any sound proposition. As an alternative there are the overflowing banks.

Now as to the local application. If the plantations on Kauai have all the money they want; if their water and transportation systems are satisfactory and they have occupied all the land that can be made profitable for sugar; if, in brief, they are in perfectly easy circumstances, then the presence of vast sums of investment capital in Honolulu would, perhaps, be of no special advantage to them. But if the case is otherwise; if there is room for improvement in their properties and in their facilities for doing business; if they have stock and bonds for sale, then the more easy money there is in Honolulu the better for them. And it follows, in this event, that anything they can do to revive and build up the tourist business of Honolulu, the better for the specific interests with which they are identified.

Secretary Shaw's decision to help out the money market by depositing \$10,000,000 in national banks which can furnish the required security, is a precedent for what the Legislature ought to do with the tax money. By following the old rule, some twelve hundred thousand dollars will be hidden away in the public vaults next month to come out gradually between then and the same time next year. If this big fund could be put in the banks secured by a deposit of Territorial bonds, the Government would have its resources in hand without depriving the people of theirs. Before this time in 1902, there ought to be authority for such a course put in the statute books.

The care taken by the Board of Health to assure the freedom of teachers from communicable diseases, commends itself to everybody's good sense. Nothing suits a mainland teacher, who has incipient tuberculosis, better than a billet in a tropical city like this, but the danger of imparting deadly germs to children who sit in his presence during the day, in a stuffy schoolroom, is such as to demand the most careful precautions on the part of the Board. On this point parents look to the Board for rigid rules impartially and thoroughly applied.

The volcanic uproar continues. The eruption of Stromboli seems, in one way or other, to have cost some hundreds of lives. Martinique, Soufriere, Torishima and now Stromboli, have added much to the year's mortality. As for earthquakes they are getting almost too numerous to mention, but the affair at Tehuantepec, where there were seventy-five distinct shocks, some of which threw a 70-ton crane into deep water, was a striking manifestation of the ferment underneath. Had the Kads ship railway been in operation there the convulsions would have probably ended its usefulness.

TORRENS LAND LAW FOR HAWAII.

The need of simplifying the method of getting land titles in Hawaii is felt by every man who buys real estate. At present titles are mixed, particularly in regard to those which have passed through the hands of Chinese, Japanese and to some extent of Hawaiian owners, for example, possess many names, which they use indiscriminately. There is the birth name, the marriage name and the business name and all these may be represented, at various times, in the same land transaction. In the records, many of these names are spelled phonetically or even rendered in some Hawaiian equivalent as five different names. Triple identity, the mistakes of careless clerks, the vicissitudes of years, the mixture of populations here, have combined to make abstracts of title far from satisfactory, and every year adds more or less to the embarrassments of those who wish to know precisely what and from whom they are buying.

Australia, having had similar troubles, invented, and uses with great success, what is known in this country as the Torrens land law. At least two American States have followed suit. The object of the law, briefly stated, is to make the transfer of land as simple and inexpensive as that of any other class of property. As one commentator says: "The artificial barriers, so foreign to the spirit of this country and inherited from the last move is the one stop necessary to complete the emancipation." We look to see the Torrens system become as familiar in the policy of American States as is the Australian ballot law, and indulge the hope that the next Legislature will place it on the statute books of this Territory.

The Torrens system, as introduced into Massachusetts and California, provides that any person owning land may have that land registered by filing a petition in a court of proper jurisdiction—in Hawaii the Circuit Court. This petition must set forth, besides his name, occupation and address, the description of the land and the estate claimed therein, the names, addresses and estates claimed by any other persons interested in the land and the names and addresses of adjoining owners. An abstract of title is also furnished and referred to an attorney of at least three years' standing in the court. Upon an unfavorable report by the referee, the Judge may order the action dismissed or he may proceed with the hearing. Upon the day set persons mentioned in the petition appear in court and evidence is presented upon which the Judge enters a decree declaring in whom the fee simple title stands and the holders of lesser estates, including all liens or incumbrances. This decree is filed in the office of the recorder, who is made registrar of titles by the California act, and he issues in duplicate, a certificate of title setting forth the facts of the decree. The duplicate certificate is issued to the owner of the land, and certified copies may be issued to the holders of lesser estates. The original is retained by the registrar and upon it he enters all subsequent changes of less than a whole title. Persons acquiring any interest in the property, whether by mortgage, lien, tax sale or tax deed, must register it against the title, and thus a complete record of the status of the property is kept at all times. When the land and tax deeds do not, notices are sent to all persons interested in the property having a hearing pass title until after a decree of the court, notice of the hearing having been sent to all those registered as owning any estate in the property involved. The person to whom a certificate of title is issued, is deemed convicted. He is held to be the owner of the property, unless it can be proved that he has been guilty of fraud and no interest in the property against him can be obtained by adverse possession however long continued. If the certificate of title is lost or destroyed in any way, a duplicate can be issued by the registrar, upon order of the court after a full hearing.

The property being thus registered, practically all difficulties of transfer are removed. The title may be passed to another by a simple endorsement upon the certificate of title, or a deed and the certificate may be filed with the registrar, whereupon a new certificate, in duplicate, is issued in the name of the purchaser, and the original and duplicate in the name of the seller are marked "cancelled." Where only a portion of the property is transferred, the certificates may be issued; and where only an interest is transferred, the fact may be noted on the original and duplicate certificates of the owners.

The Registrar of San Francisco county made this brief statement about the law two years ago:

"The Torrens law provides for a careful examination of title by at least two attorneys before passing the title. In case any flaw is found in the title, the owner applying for a certificate will be notified of the flaw and no certificate of title will be refused, if the owner so applying shall within a reasonable time take steps needed to establish the title. The transfer to the system costs \$15 for examination fee and \$2 for certificate fee, and one-tenth of 1 per cent of the fair cash value of the property for an indemnity fund. The indemnity fund is used to secure the rightful owners of the property from claimants. From the issuance of the original certificate the property is protected from all claims, such as dower rights, the rights of minors, insane persons, those in prison, and those absent from the United States. The title to the property cannot be disturbed, but in the event of any liens or right arising as suggested the persons can be fully compensated from the fund by showing a right to the same. To secure a certificate of title it is necessary for the owner of the property to furnish an abstract of title only to Oct. 11, 1871, after which date the records in the Recorder's office show all the conveyances, and the title from that time is brought down by the Registrar. After the title has been registered under the Torrens law, in case it is not successfully attacked within a period of five years from the date of registering, it is unassailable. During the five years it is as easy to transfer or deal with the property as after the period has elapsed. An ordinary sale or mortgage of registered lands can be closed in an hour or two under the system, and the expense is much less than under the old method.

There is no reason to fear that, if the Torrens law is introduced here, the Supreme Court of the United States will in any way invalidate the act. Appeals from the law in Massachusetts have been set aside, not only by the courts of that State, all concurring, but by the highest Federal tribunal. Hence so far as legal safety is concerned the Torrens system is as safe from attack as its congener, the Australian ballot law.

The first international suit to be argued before The Hague Tribunal is between the United States and Mexico over the disposition of the Pious Fund. It is the case in which Senator Stewart of Nevada and Garret McNary of San Francisco appear as counsel for the United States. The Pious Fund was originally a sum of money contributed by a private gentleman of Roman Catholic work in California. At first it was controlled by the Jesuits, but when they were expelled the money was turned over to the Franciscans from whom the new republic of Mexico took it, guaranteeing to the church authorities the payment of six per cent on the fund total "in perpetuity." When California was ceded to the United States, Mexico stopped payments and the arrears of interest now amount to \$1,000,000. The church in California, with the United States as sponsor, has now brought suit against Mexico for the money, The Hague Tribunal being the court mutually chosen and in reality, the only one available save the courts of the countries at interest.

The course of treatment by tuatua covers a period of fourteen months and it is not surprising that the leper patient shows no appreciable gain in four months. The Advertiser hopes that patients will be found at Molokai to give the remedy a faithful trial, otherwise an experiment fraught with such great possibilities to the inmates of the Settlement must necessarily fail.

Things are still doing in fruit farming and by next year Honolulu will probably cease to import limes. Over to the windward on Oahu, is an orchard tract of 20,000 lime trees beginning to bear and the prospects are for a full crop in 1903. It is possible that Honolulu will be exporting limes before many seasons pass.

It is refreshing to have a First Judge who is on the bench to work and not to supply a daily sensation. Judge De Bolt's court is business-like and decorous, and justice, not politics, is done there. The wisdom of the President's choice is already conceded.

It's queer how things go. In the East, as cold weather approaches, coal is running up in price and there is little to be had. Here in Honolulu, where Christmas dinners are eaten out of doors in the shade, there promises to be more coal than the people know what to do with.

LOCAL PREVIEW.

(From Monday's Daily)

George Henshall of the Star has returned from a visit to the Volcano.

F. B. McInnes is expected to return to Honolulu on the Enterprise this month.

Pasaden Mill started grinding last week. This is the first mill on Hawaii to begin on the new crop.

L. M. Whitehouse, engineer for the Hilo railroad, has gone to Portland in search of Italian laborers to work upon that road.

WORLD'S NEWS
CONDENSED

Mayor Humes of Seattle has disappeared.

Senator Patterson has purchased the Denver Times.

San Francisco wants the next G. A. P. encampment.

The Chinese Empress Dowager is again to entertain.

The cruiser Philadelphia has been put out of commission.

The condition of the President is steadily improving.

The Stromboli volcano, off the coast of Italy, is in eruption.

Hundreds of people were killed by earthquakes in Turkistan.

English and American tobacco trusts have come to an agreement.

Telephone employees are on a strike in Idaho, Montana and Utah.

General Funston says the abolition of the canteen has hurt the army.

There have been no disturbances in the Pennsylvania strike region.

A tornado and flood in Sicily destroyed much property and killed hundreds.

Mrs. Mary Winthrop has given \$1,500,000 to Princeton Theological Seminary.

The St. Paul road will increase its capital by \$25,000,000 in order to extend to the coast.

John D. Long has been chosen as president of the Board of Overseers for Harvard College.

Grand Duke Boris denies the sensational stories printed about him in New York and Chicago.

Secretary Shaw has offered to purchase the five per cent government bonds of 1904 at 105.

A telephone company with a capital of \$100,000,000 has been organized to fight the Bell monopoly.

Secretary Hay's note to Roumania in behalf of the Jews has resulted in further hardships being imposed.

Wall street speculators are said to have lost millions by reason of enforced liquidation and money stringency.

Charlemagne Tower, Minister to Russia, succeeds White at Berlin. Rodomy Storor, now in Spain, succeeds Tower.

Judge B. P. Birdsall of Clarion, Iowa, has been nominated to succeed Speaker Henderson in the Third Iowa District.

American interference in Colombia by the landing of marines is declared to be necessary, as Colombia is unable to keep order.

A fight has begun over Millionaire Stratton's estate the executors refusing to deliver the personal property to the administrators.

The Hammond (Ind.) mayor announces that he will marry couples free of charge for a month in order to stimulate matrimony.

Secretary Shaw says he will try no experiments with government funds and is simply trying to relieve the financial stringency.

The government of Mexico has bought a controlling interest in the Inter-oceanic Railway in order to secure an independent line to the gulf.

J. Painter, Jr., with an eight million dollar check in his pocket, obtained from the sale of his steel works, was unable to obtain a room in a Chicago hotel.

A warrant has been issued for the arrest of Laura Biggar, the actress, on a charge of conspiring to divert the two million dollar estate of Henry M. Bennett to herself.

David E. Thompson of Nebraska has been appointed minister to Brazil. There are half a dozen important diplomatic appointments due to the resignation of Ambassador White of Germany.

HONOLULU STOCK EXCHANGE.

Honolulu, October 6, 1902.

NAME OF STOCK	Capital	Val	Bid	Ask
MERCANTILE				
Brewer & Co.	1,000,000	100	400	400
L. B. Kerr Co., Ltd.	250,000	50	40	40
SUGAR				
Ewa	5,000,000	20	20	21
Haw. Agricultural Co.	1,000,000	100	265	265
Haw. Com. & Sug. Co.	2,512,750	100	34	34
Haw. Sug. & Lbr. Co.	2,000,000	20	28	28
Honolulu	750,000	100	113	113
Honolulu	2,000,000	20	11	11
Kalahele	500,000	100	115	115
Kahuku	500,000	20	10	10
Kipahulu	2,500,000	50	75	75
Koloa	100,000	100	65	65
McBryde Sug. Co. Ltd.	3,500,000	20	81	81
Oahu Sugar Co.	3,000,000	100	67 1/2	68
Ohuwa	1,000,000	20	10	10
Okeala	500,000	20	4	4
Ola Sugar Co. As.	812,000	20	8	8
Ola Sugar Co. Ltd.	150,000	100	10	10
Pasaden Sugar Plantation Co.	5,000,000	50	11	11
Pacific	50,000	100	10	10
Pala	750,000	100	10	10
Popeo	750,000	100	10	10
Pioneer	2,750,000	100	10	10
Waialua Ag. Co.	4,500,000	150	40	40
Waialua Ag. Co.	700,000	100	10	10
Waianae	25,000	100	170	170
STRAIGHT CO'S				
Wilder S. S. Co.	500,000	100	97 1/2	97 1/2
Inter-Island S. S. Co.	500,000	100	97 1/2	97 1/2
MISCELLANEOUS				
Haw. Electric Co.	250,000	100	85	85
Hon. R. T. & L. Co.	250,000	50	62 1/2	62 1/2
Mutual Tel. Co.	30,000	10	10 1/2	10 1/2
O. R. & L. Co.	2,000,000	100	87 1/2	87 1/2
BONDS				
Haw. Govt. 5 p. c.	.....	.....	.....	.....
Hilo R. R. Co. 6 p. c.	.....	.....	.....	.....
Hon. R. T. & L. Co.	.....	.....	.....	.....
6 p. c.	.....	.....	.....	.....
W. P. & B. Co.	.....	.....	.....	.....
Oahu P. & B. Co.	.....	.....	.....	.....
Waialua Ag. Co. 6 p. c.	.....	.....	.....	.....
Kahuku 6 p. c.	.....	.....	.....	.....
SALES				
Between Boards—Twenty-six O. R. & L. Co., \$87.50.				

All Stuffed Up

That's the condition of many sufferers from catarrh, especially in the morning. Great difficulty is experienced in clearing the head and throat.

No wonder catarrh causes headache, impairs the taste, smell and hearing, pollutes the breath, deranges the stomach and affects the appetite.

To cure catarrh, treatment must be constitutional—alterative and tonic.

"I was afflicted with catarrh. I took medicines of different kinds, giving each a fair trial; but gradually grew worse until I could hardly hear, taste or smell. I then concluded to try Hood's Sarsaparilla, and after taking five bottles I was cured and have not had any return of the disease since." EUGENE FORBES, Lebanon, Kan.

Hood's Sarsaparilla
Cures catarrh—it soothes and strengthens the mucous membrane and builds up the whole system.

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Capital their reinsurance companies 35,900,000
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A large shipment of fresh seeds has just been received.

It is not necessary to send to the coast for garden or vegetable seeds when the same may be had in a few days from the

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